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DE RUEHUM #0190/01 1190220  
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FM AMEMBASSY ULAANBAATAR  
TO RUEHC/SECSTATE WASHDC 2092  
INFO RUEHBJ/AMEMBASSY BEIJING 6104  
RUEHUL/AMEMBASSY SEOUL 3303  
RUEHKO/AMEMBASSY TOKYO 2980  
RUEHMO/AMEMBASSY MOSCOW 2197  
RUEHGP/AMEMBASSY SINGAPORE 0409  
RUEHML/AMEMBASSY MANILA 1715  
RUEHBK/AMEMBASSY BANGKOK 1776  
RUEHVK/AMCONSUL VLADIVOSTOK 0262  
RUEHSH/AMCONSUL SHENYANG 0500  
RUEHDBU/AMEMBASSY DUSHANBE  
RUEHNT/AMEMBASSY TASHKENT 0054  
RUEHAH/AMEMBASSY ASHGABAT 0050  
RUEHEK/AMEMBASSY BISHKEK 0092  
RUEHTA/AMEMBASSY ASTANA 0010  
RUEHLMC/MILLENNIUM CHALLENGE CORP WASHINGTON DC  
RHEHNSC/NATIONAL SECURITY COUNCIL WASHINGTON DC  
RUEKJCS/SECDEF WASHINGTON DC  
RUCPDO/DEPT OF COMMERCE WASHINGTON DC  
RUEATRS/DEPT OF TREASURY WASHINGTON DC

UNCLAS SECTION 01 OF 05 ULAANBAATAR 000190

SIPDIS

SENSITIVE

SIPDIS

STATE PASS USTR, USTDA, OPIC, AND EXIMBANK  
STATE FOR EAP/CM AND EB/IFD/OIA/INL  
USAID FOR ANE FOR D. WINSTON  
USDOC FOR ZHEN-GONG CROSS

E.O. 12958: N/A

TAGS: [ETRD](#) [ECON](#) [PGOV](#) [MG](#) [KIPR](#)

SUBJECT: 2008 TRENDS IN MONGOLIAN INTELLECTUAL PROPERTY RIGHTS  
PROTECTION

SENSITIVE BUT UNCLASSIFIED - NOT FOR INTERNET DISTRIBUTION

11. (SBU) SUMMARY: Generally, the Government of Mongolia and relevant agencies make good-faith efforts to enforce Intellectual Property Rights (IPR). However, gaps in enforcement of IPR rights in relation to optical media, software, and certain treaty obligations exist, due to political pressure from politically connected IPR pirates, inconsistencies between Mongolian laws and IPR treaties, and institutional indifference. In addition, Mongolia has developed a modest home-grown capacity to manufacture and distribute fakes that, although in its infancy, may reach out to counterfeit networks in China and Russia. For these reasons, Post recommends that Mongolia receive training in U.S. IPR positions and U.S. enforcement methods on an annual basis. END SUMMARY.

Mongolia's current regime for protecting IPR  
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12. (U) The Government of Mongolia (GOM) supports intellectual property rights in general and has protected American rights in particular. It has joined the World Intellectual Property Organization (WIPO), and signed and ratified most treaties and conventions, including the WTO TRIPS agreement. The WIPO Internet treaties have been signed, but have yet to be ratified by Parliament. Although the convention has not yet been ratified, the GOM and its intellectual property rights enforcer, the Intellectual Property Office of Mongolia (IPOM), generally make a good-faith effort to honor these agreements.

13. (U) The IPOM generally has an excellent record of protecting American trademarks, copyrights and patents. However, its small budget and modest capacity limits the scope of its actions. In most cases, when the Embassy conveys a complaint from a rights holder to

the IPOM, the IPOM quickly investigates the complaint. If it judges that a violation has occurred, it seizes the pirated products or removes the faked trademarks, under administrative powers granted in Mongolian law.

14. (SBU) A specific case in point is the support provided last year to Mongol Star Melchers (MSM), the authorized distributor for Johnson and Johnson (JJ) medical products in Mongolia. MSM had reported that JJ's Vicryl line of sutures had suffered from trademark infringement of the Vicryl trademarks by a Mongolian firm that had imported fake sutures from China. Post facilitated contacts between the IPOM and the official distributor. IPOM investigated the infringement and expressed a desire to enforce JJ's trademarks, pending the distributor's completion of all Mongolian registration requirements. The distributor confirmed completion of

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